



Attorney General Josh Shapiro
Policy Memo

To: Attorney General Shapiro
From: David Wade
Date: 3/21/18
Re: EPA & Disposing Unused Prescription Drugs

In anticipation of your meeting with EPA Administrator Scott Pruitt, this memo outlines the challenges OAG has had in identifying locations to dispose of unused medications collected through drug take back events.

In 2012, EPA put out guidance recommending incineration as the preferred method of disposal for these drugs to mitigate the environmental damage associated with flushing or landfilling as well as the risk of diversion. EPA recommended incineration through a permitted hazardous waste incinerator or a cement kiln. Acknowledging that there are few of these facilities across the country, EPA allowed these medications to be burned at both large and small municipal waste combustors as well.

Unfortunately, even with this allowance, there are only 7 facilities in Pennsylvania that fit EPA's criteria, all of which are in the Southeast, South-central or Lehigh Valley. Transporting shipments of unused medications from the Western part of the state to these facilities has proven both costly and time-consuming.

After inquiring further, OAG obtained an additional list of facilities that could dispose of medications if they obtained additional permits from EPA, but most companies said these permits were costly and time-consuming so they did not have them. In short, out of 39 contacted, only a handful had the requisite permits from EPA, and a number of these proved too costly to be viable partners.

In short, EPA's regulations have limited the number of locations to incinerate the unused medications OAG collections in partnership with the PA National Guard. This has caused us to rely on just two partners in the Southeast part of the state, driving up costs of transportation. Any relief EPA could provide in this regard would be welcomed.